CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

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ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND TWENTIETH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 17 July 1969, at 10.30 a.m.

Chairman: Mr. M. DUGERSUREN (Mongolia)

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PRESENT AT THE TABLE

Brazil:	Mr. S.A. FRAZAO
	Mr. C.A. de SOUZA e SILVA
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. K. CHRISTOV
	Mr. M. KARASSIMEONOV
Burma:	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. J.R. MORDEN
Czechoslovakia:	Mr. T. LAHODA
	Mr. J. STRUCKA
	Mr. J. CINGROS
Ethiopia:	Mr. A. ZELLEKE
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F. LUCIOLI OTTIERI
	Mr. R. BORSARELLI
	Mr. U. PESTALOZZA
Japan:	Mr. K. ASAKAI
	Mr. Y. NAKAYAMA
	Mr. T. SENGOKU
	Mr. J. SAKAMOTO
Mexico:	Mr. J. CASTANEDA
	Miss E. AGUIRRE
	Mr. H. CARDENAS RODRIGUEZ
	Mr. R. VALERO

DEPOSITORY

Mongolia:	Mr. M. DUGERSUREN
	Mr. J. BANZAR
	Mr. S. ADIKHOU
Nigeria:	Mr. C.O. HOLLIST
	Mr. L.A. MALIKI
Poland:	Mr. A. CZARKOWSKI
	Mr. A. SKOWRONSKI
	Mr. M. STEPOSZ
	Mr. R. WLAZLO
Romania:	Mr. N. ECOBESCO
	Mr. O. IONESCO
	Mr. C. GEORGESCO
	Mr. A. SASU
Sweden:	Mr. A. EDELSTAM
	Mr. S. ERICSON
	Mr. R. ROMAN
	Mr. J. LUNDIN
Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. R.M. TIMERBAEV
	Mr. V.V. SHOUSTOV
	Mr. V.B. TOULINOV
United Arab Republic:	Mr. H. KHALLAF
	Mr. O. SIRRY
	Mr. E.S. El REDDY
United Kingdom:	Mr. I.F. PORTER
	Mr. W.N. HILLIER-FRY
	Mr. R.I.T. CROMARTIE

United States of America:	Mr. J.F. LEONARD
	Mr. A.F. NEIDLE
	Mr. W. GIVAN
	Mr. R. McCORMACK
Special Representative of the Secretary-General:	Mr. D. PROTITCH
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Mongolia): I declare open the 420th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. Before calling on the representative of Japan, I would ask for the indulgence of the Committee to permit me to say a few words. I have the very pleasant duty to congratulate our two co-Chairmen sincerely on the new and important endeavours which their respective countries are undertaking in these days in the field of the peaceful exploration of the moon and its vicinity. Both the Apollo 11 and the Luna 15 missions have their own specific and challenging tasks. I hope that I shall be expressing the sentiments of the Committee if I wish those two great countries every success in their endeavours. I especially wish the three brave astronauts who are now heading for the moon good luck and great success in carrying out their very important mission of historic magnitude.

3. Mr. ASAKAI (Japan): Before going into the substance of my statement today, I should like to associate myself with the Chairman in expressing my heartfelt congratulations on the successful launching of Apollo 11. The Government and people of Japan send their best wishes to the three envoys of mankind aboard Apollo 11 for their safe return after the successful completion of their historic mission.

4. Today I should like to address myself specifically to the question of the prevention of an arms race on the sea-bed.

5. First of all, let me express the deep appreciation of my delegation to the representatives of the Soviet Union and the United States for having submitted to this Committee their respective drafts of a treaty dealing with the subject (ENDC/240, 249). The Japanese delegation has carefully studied those two draft texts, and also the views expressed by the other members of this Committee. I should now like to present to the Committee the preliminary views of our Government on this question.

6. Japan, being a maritime nation surrounded by the sea, has a vital interest in the prevention of an arms race on the sea-bed and the ocean floor. The wisdom of mankind has led us to prevent an arms race in Antarctica and on the moon and other celestial bodies. Unfortunately, however, we have not been able to check an arms race on land. We have not been able to halt the spread of an arms race in the ocean and in the atmosphere. That leaves us with only the sea-bed and the ocean floor.

(Mr. Asakai, Japan)

Those are, indeed, the last frontiers on our planet. Yet, in the meantime, technological developments are making the sea-bed and the ocean floor covering vast areas on earth both accessible and suitable for military purposes. In the circumstances it is incumbent on each and all of us here to do whatever we can to prevent the imminent spreading of the arms race to the sea-bed.

7. May I now be permitted once again to draw the attention of all members of this Committee to what I emphasized in my previous intervention: the earnest wish of the people of Japan for the complete elimination of nuclear weapons from the earth (ENDC/PV.416, paras. 55, 57). It is our appeal to members of this Committee that we should try our utmost to explore every opportunity to diminish and to eliminate the terrors of nuclear weapons. We have such an opportunity now, right under our feet -- on the sea-bed and the ocean floor. All that leads us to our primary consideration of what we ought to do now: stop the spread of the nuclear arms race to the sea-bed and the ocean floor, whether it be under the high seas or under the territorial seas.

8. Having said that, I should like now to proceed to explain our views -- as some other delegations have explained theirs in previous meetings -- on three focal points involved in this question, namely the scope of military activities to be prohibited, the geographical area to be covered by the treaty, and the problem of verification.

9. I shall start with the first point, the scope of military activities to be prohibited.

10. With the conclusion of the non-proliferation Treaty (ENDC/226*) it would be only the nuclear-weapon States which could start a nuclear arms race on the sea-bed. If, indeed, the purpose of the non-proliferation Treaty is to reduce the danger of nuclear war, should not the nuclear States themselves now make every effort not to extend the nuclear arms race to the sea-bed and the ocean floor?

11. We have noted that several delegations have characterized the measures to prohibit the nuclear arms race on the sea-bed and the ocean floor as "preventive measures". We are all aware how difficult it is to check the arms race once it gets started. Indeed, the successful conclusion of the Antarctic Treaty[1] and

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(Mr. Asakai, Japan)

of the outer-space Treaty (General Assembly resolution 2222 (XXI) (Annex)) was due to a large extent to the preventive nature of the provisions in those Treaties, which were introduced before the arms race in those areas actually started. It is for that reason that we are convinced that measures should be taken immediately to prohibit nuclear and other weapons of mass destruction on the sea-bed and the ocean floor before it is too late. We believe that such measures, if taken now, would not affect the balance of power in the deterrents of the super-Powers. Moreover, such a course of action would be in line with article VI of the non-proliferation Treaty, which states:

"Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date ...". (ENDC/226*, p. 6)

12. Naturally our ultimate aim must be general and complete disarmament. As I stated on a previous occasion, Japan subscribes to the idea that the use of the sea-bed and the ocean floor and the subsoil thereof for military purposes should be prohibited in principle (ENDC/PV.416, para. 77). However, there is at present a wide divergence of views among the members of this Committee with regard to what should be prohibited and what should not, and that with good reason. Given the time and the perseverance of all of us here we may, as we should, be able to come to an equitable agreement. On no account, however, should we let this difficulty in reconciling such a divergence of views stand in the way of our taking immediate measures to prevent the spread of an arms race by placing nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor.

13. I should like now to proceed to the next point, the geographical area to be covered by the treaty. We share the views expressed by many delegations in favour of two principles in this regard. The first is that the treaty should cover as large an area of the sea-bed and the ocean floor as possible. The second is that the question of the geographical area to be covered by the treaty should be separated from the question of the limits of the territorial sea and the national jurisdiction of coastal States.

(Mr. Asakai, Japan)

14. If we are to base ourselves on those two principles, would it not be logical to conclude that the treaty should cover the entire area of the sea-bed and the ocean floor under the high seas and the territorial sea? That is indeed in consonance with the earnest wish of the Japanese people to prevent the spread of the nuclear arms race at the "beach-head" and, for ourselves and for our descendants, to keep the last frontier on earth completely free from nuclear and other weapons of mass destruction. How could we combat effectively and meaningfully the proliferation, both vertical and horizontal, of nuclear weapons without meanwhile placing a complete cordon around the sea to prevent the introduction of nuclear weapons? Indeed, we may be able, through our constant efforts and by various devices, to make some progress on land in checking the terrors of nuclear weapons. Such progress, however, would be more than offset by the utilization of the sea-bed for the purpose of deploying nuclear and other weapons of mass destruction.

15. Moreover, to make the treaty applicable to such an area of the sea-bed and ocean floor would have the merit of simplicity. There would be no need to deal with the question of the width of the territorial sea or any other claims for national jurisdiction. There would be no problem of a status gap between the twelve-mile zone in the Soviet draft treaty and the three-mile zone in the United States draft treaty. In that way we would not have to cope with the difficult problem relating to the continental shelf and the rights to be exercised there by a coastal State. Again, as this formula sets no fixed distance, there would arise no problem such as that pointed out, quite rightly I think, by the representative of Nigeria: namely, the case where the coasts of two States are opposite or adjacent to each other and the distance between the coastal lines of the two States is less than twice the limit to be fixed by the treaty (ENDC/PV.411, para. 18).

16. Finally, I wish to turn to our last important question, that of verification of compliance by States. Under the existing rules of international law a State is free to observe or to have access to any object under the high seas, particularly when its identity is not known, whether or not emplacement of nuclear and other weapons of mass destruction is prohibited on the sea-bed under the high seas. Of course we are aware of the tremendous technical difficulties involved in the verification to be carried out under water, and of the danger of the operation on

(Mr. Asakai, Japan)

the sea-bed. In that connexion we are keenly interested in the mode of verification based on observation and consultation as prescribed in the United States draft treaty. We also consider that the suggestions made by several delegations regarding the question of co-operation for international verification deserve careful study. The representative of India, for instance, said on 17 April:

> "The issue of verification for a sea-bed treaty would have to be dealt with in the light of the principle of international means of verification, so that all parties could feel assured that the prohibitions of the treaty were being complied with." (ENDC/PV.404, para. 70)

17. Furthermore, we have noted with particular interest the statement made by the representative of Brazil on 21 May. Referring to a system of verification in the area under national jurisdiction, he said:

> "The principle of freedom of access for all States parties should be preserved, ...but the State having jurisdiction for the exploitation of resources over the area where the installation is placed should be consulted before the verification is carried out and should participate in the process of verification. I do not mean that its consent should necessarily be required, because if that were the case the principle of freedom of access could be rendered nugatory." (ENDC/PV.413, para. 20)

18. The inclusion of the territorial sea in the area to be covered by the treaty leads to the difficult question of verification in the territorial sea. We fully realize that extension of verification measures to the sea-bed under the territorial sea would involve manifold complicated problems. One may argue, for example, that territorial waters are, like the territory itself, under the sovereign right of the coastal State and therefore should never be subject to verification by another State or by an international body. In this connexion let me remind the Committee that under the non-proliferation Treaty strict measures of inspection of the peaceful nuclear activities in the territory of a non-nuclear-weapon State are to be carried out. We believe that it is of the utmost importance to agree upon the principle that the area of prohibition should be extended to the sea-bed under the territorial sea, even if the specific measures for verification have to be left for further study.

(Mr. Asakai, Japan)

19. Thus, if we are to agree first of all on the principle of prohibiting the emplacement of nuclear and other weapons of mass destruction on the widest possible area of the sea-bed and ocean floor, including that under the territorial sea, my delegation will be happy to co-operate with other delegations in the further elaboration of the mode of verification to be provided for in the treaty.

20. As I made clear at the outset that I would, I have today presented the preliminary views of my delegation on the question of the prevention of an arms race on the sea-bed, which is becoming more urgent almost day by day. May I repeat that it is high time for us to prevent the extension of a nuclear arms race to the sea-bed and ocean floor? By so doing we shall be contributing greatly to the easing of international tension and to the strengthening of confidence among States. Failure, indeed even delay, in the work of our Committee on this question would mean an irrevocable loss to mankind of this last frontier.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 420th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Mangalyn Dugersuren, representative of the Mongolian People's Republic.

"Statements were made by the Chairman and by the representative of Japan.

"The next meeting of the Conference will be held on Tuesday, 22 July 1969, at 10.30 a.m."

The meeting rose at 10.55 a.m.